

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

**ZELPRO ASSEMBLY SOLUTIONS, LLC,
et al.,**

Plaintiffs,

v.

STINGL PRODUCTS, LLC, et al.,

Defendants,

NAC GROUP, INC.,

Defendant-Intervenor.

MOSMAN, J.,

No. 3:11-cv-00519-ST

OPINION AND ORDER

On October 10, 2012, Magistrate Judge Stewart issued her Findings and Recommendation (“F&R”) [83] in the above-captioned case, recommending that I grant plaintiffs’ motion for partial summary judgment [63]. Defendants filed objections [85], and plaintiffs filed a response [86]. Upon review, I agree with Judge Stewart’s recommendation, and I ADOPT the F&R as my own opinion.

STANDARD OF REVIEW

The magistrate judge makes only recommendations to the court, to which any party may file written objections. The court is not bound by the recommendations of the magistrate judge, but retains responsibility for making the final determination. The court is generally required to

make a de novo determination regarding those portions of the report or specified findings or recommendation as to which an objection is made. 28 U.S.C. § 636(b)(1)(C). However, the court is not required to review, de novo or under any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the F&R to which no objections are addressed. *See Thomas v. Arn*, 474 U.S. 140, 149 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003). While the level of scrutiny under which I am required to review the F&R depends on whether or not objections have been filed, in either case, I am free to accept, reject, or modify any part of the F&R. 28 U.S.C. § 636(b)(1)(C).

CONCLUSION

Plaintiffs' motion for partial summary judgment is therefore GRANTED for the reasons outlined in Judge Stewart's F&R.

IT IS SO ORDERED.

DATED this 18th day of December, 2012.

/s/ Michael W. Mosman
MICHAEL W. MOSMAN
United States District Judge